

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IRVING MURRAY (PROSE)
(PLAINTIFF)

FILED
SCRANTON

MAY 14 2018

VS.

CIVIL ACTION

NO: 3:17-CV-0491

(JUDGE R. P. CONABOY)

DATED: 5/10/2018

151 Irving Murray

JOHN E. WETZEL ET AL
(DEFENDANTS)

DEPUTY CLERK

DECLARATION OF: IRVING MURRAY
UNDER NOTARY PUBLIC SEEKING DAMAGES

I, Plaintiff, Irving Murray, hereby depose
and says the following:

Plaintiff presents these two exhibits
as evidence of [Defendants fabricating
and falsifying documentation of actual
diagnosis of his "Liver score", in which
he avers that the [Defendants blatantly
still continue to use an unconstitutional
[Hepatitis C] protocol which such both the
"HCV-Protocol" and "Risk-Stratification" policies
is intended to cause deaths upon Pa. [DOC'S]
inmates especially at SCI Mahanoy, retaliation
continues by the Defendants and their agents
who is working in concert; Defendants
clearly lied as Dr. PAUL A NOEL, M.D., FAAFP
CCHP, clearly fabricated/falsified statements
in his Declaration under oath to Judge

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Richard P. Conaboy on July-19-2017, he made these statements under 28 U.S.C. § 1746, on 7-19-2017. See exhibit "D"

Than Dr. Courtney Rogers fail to provide an written response but rather have the (RN/HCN) Defendant Brenda Houser to falsely state to me in writing that I do not have a "fibrosis score" See exhibit

"E" Inmates Request to staff member attached with this legal Declaration as undisputed evidence of "lies" and "deceit"

for these reasons plaintiff seeks Compensatory Damages which is warranted. in the event this is denied by defendants plaintiff compel this court to issue a speedy imminent parole release and compensatory and punitive damages as well as exemplary damages awarded to plaintiff so that he can purchase his own treatment for [HCV]. obviously defendant prove that they can not be trusted and they are deliberately inflicting pain upon plaintiff and trying to drive plaintiff Irving Murray to his Death which is their soul intentions, it is illegal. I ask this court to force my injunction due to these reason and for reasons that Defendants fail to allow plaintiff to mail out his motion to Compell discovery. Thank You

151 Irving Murray #KP3561

Defendants constantly give conflicting statements that are false only to mislead this court into believing their bogus statements, that's causing Plaintiff a lot of pain and suffering.

As Defendants forces plaintiff out of prison on Parole so they don't have to face this suit litigation.

Plaintiff is being seen by the Parole board a Hearing scheduled by DOC and parole on 5-10-2018. Defendants are in hopes that this case go unheard by granting me a Parole release after my parole hearing today on 5-10-2018.

I, Irving Murray hereby verify that all the statements made herein this 5 page Declaration seeking damages are true and correct and subject to false statements under penalty of perjury and are made subject to 28 U.S.C. § 1746.

Dated: May 10th, 2018,

Irving Murray
Irving Murray #KP3861
Plaintiff (pro-se)

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER INFECTION CONTROL NURSE MAR 19 2018	Commonwealth of Pennsylvania Department of Corrections INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.
1. To: (Name and Title of Officer) MS. BRENDA HOUSER	2. Date: MARCH 19th 2018.
3. By: (Print Inmate Name and Number) IRVING MURRAY #KP3561 <i>Irving Murray</i> Inmate Signature	4. Counselor's Name MR. MARTINO 5. Unit Manager's Name MS. J. CAREY
6. Work Assignment BLK WORKER	7. Housing Assignment BIA RTU CELL # 62
8. Subject: State your request completely but briefly. Give details. MS. HOUSER I AM WRITING YOU REQUESTING A COPY OF MY HEPATITIS C FIBROSIS SCORE CAN YOU PLEASE TELL ME MY FIBROSIS SCORE. AND THE NAME OF THE HEAD PERSON ON THE HEPATITIS COMMITTEE IN CENTRAL OFFICE SO THAT I CAN WRITE THEM TO FIND OUT WHY IS IT I DO NOT FIT THE CRITERIA FOR MEDICATIONS FOR MY CHRONIC HEP C AND WHY IS IT I AM BEING DENIED MEDICATION FOR NON-MEDICAL REASONS, PER POLICY DC-ADM 13.2.1 AND RISK-STRATIFICATION POLICY OF THE DOC. "PLEASE" RESPOND BACK SOON. THANK YOU VERY MUCH! RESPECTFULLY-SUBMITTED, Irving Murray #KP3561	
9. Response: (This Section for Staff Response Only) Fibrosis scores are done with referral is made to the treatment committee. You have not had a fibrosis test done, therefore there is nothing to give you a copy of and committee's do not receive copies of their charts. Dr. Brown is the head of the Hep C treatment committee. At this time you do not meet their criteria for referral for treatment.	
To DC-14 CAR only <input type="checkbox"/>	To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

 Staff Member Name **Brenda Houser, RN/ICN**

 Date **3-20-18**

Revised July 2000

 CC: U.S. MIDD. DIST. COURT JUDGE
 OFFICE OF CHIEF COUNSEL
 U.S. DEPT. OF JUSTICE CHIEF (4-OF-5)
 ETI F / DISKETTE

EXHIBIT
D

16. Meanwhile, the DOC will continue to monitor all inmates with chronic HCV per the Hepatitis C Protocol. Monitoring includes periodic testing and review of the inmates through a chronic care clinic.

17. DOC policy is to continue to move down the list of inmates with HCV and evaluate those in the next category of priority.

18. I reviewed information pertaining to inmate Irving Murray KP-3561.

19. Irving Murray is enrolled in the DOC's Chronic Care Clinic. He was last seen in clinic on December 8, 2016. He presented with no complaints or symptoms. His blood work was done. Based on an APRI score of 0.731, Murray is believed to have a fibrosis score of F1.

20. Irving Murray is not in need of treatment with DAADs at this time.

The foregoing is rendered within a reasonable degree of medical certainty and is made subject to 28 U.S.C. § 1746.

Dated: 7.19.17

Paul Noel M.D.
Paul A. Noel, M.D.
Chief of Clinical Services
PA DOC

(5-06-5)